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37 C.F.R. § 1.8

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March 2, 2004
Date

Stephanie A. Wardwell
Stephanie A. Wardwell

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Chi Li Liu and Jefferson C. Lievense

Serial No.: 10/717,993

Filed: November 20, 2003

For: Lactic Acid Producing Yeast

Group Art Unit: Unknown

Examiner: Unknown

Attorney Docket: 2027.631000

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed foreign patent documents and articles required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner. Because the filing date of the present application is after June 30, 2003, copies of the listed U.S. patents are not included.

In accordance with 37 C.F.R §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

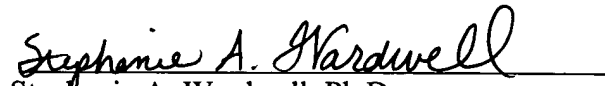
an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Director is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/2027.631000.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

Williams, Morgan & Amerson, P.C.
Customer No. 23720

A handwritten signature in cursive script, reading "Stephanie A. Wardwell", is written over a horizontal line.

Stephanie A. Wardwell, Ph.D.

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Date: March 2, 2004

Form PTO-1449 (modified)

Atty. Docket No.
2027.631000Serial No.
10/717,993

List of Patents and Publications for Applicant's

Applicant
Liu and Lievense

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:
November 20, 2003Group:
1651U.S. Patent Documents
See Page 1-2Foreign Patent Documents
See Page 2Other Art
See Page 2 - 3

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	2,024,565	12/17/35	Braun	260	119	
	A2	4,885,247	12/05/89	Datta	435	139	
	A3	5,068,418	11/26/91	Kulphathipanja <i>et al.</i>	562	580	
	A4	5,464,760	11/07/95	Tsai <i>et al.</i>	435	139	
	A5	5,503,750	04/02/96	Russo, Jr. <i>et al.</i>	210	641	
	A6	5,510,526	04/23/96	Baniel <i>et al.</i>	562	580	
	A7	5,574,180	11/12/96	McQuigg <i>et al.</i>	558	147	
	A8	5,641,406	06/24/97	Sarhaddar <i>et al.</i>	210	656	
	A9	5,780,678	07/14/98	Baniel <i>et al.</i>	562	580	
	A10	5,892,109	04/06/99	Baniel <i>et al.</i>	562	580	
	A11	5,959,144	09/28/99	Baniel	562	580	
	A12	6,001,255	12/14/99	Eyal <i>et al.</i>	210	638	
	A13	6,087,532	07/11/00	Baniel <i>et al.</i>	562	580	
	A14	6,160,173	12/12/00	Eyal <i>et al.</i>	562	589	
	A15	6,187,951	02/13/01	Baniel <i>et al.</i>	562	580	
	A16	6,229,046	05/08/01	Eyal <i>et al.</i>	562	589	
	A17	6,268,189	07/31/01	Skory	435	139	
	A18	6,280,985	08/28/01	Caboche <i>et al.</i>	435	139	
	A19	6,319,382	11/20/01	Norddahl	204	530	
	A20	6,429,006	08/06/02	Porro <i>et al.</i>	435	254	
	A21	6,475,759	11/05/02	Carlson <i>et al.</i>	435	139	

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

Form PTO-1449 (modified)

Atty. Docket No.

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1651

U.S. Patent Documents

See Page 1-2

Foreign Patent Documents

See Page 2

Other Art

See Page 2 - 3

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A22	6,485,947	11/26/02	Rajgarhia <i>et al.</i>	435	139	
	A23	6,489,508	12/03/02	Van Gansbeghe <i>et al.</i>	562	589	
	A24	2003/0228671	12/11/03	Hause <i>et al.</i>	435	161	

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 99/19503	April 22, 1999	PCT			
	B2	WO 99/14335	March 25, 1999	PCT			
	B3	WO 01/25180	April 12, 2001	PCT			
	B4	WO 02/42471	May 30, 2002	PCT			
	B5	EP 0 932 593 B1	April 24, 2002	EPO			
	B6	WO 00/71738 A1	Nov. 30, 2000	PCT			
	B7	WO 02/42471 A2	May 30, 2002	PCT			
	B8	WO 03/102152 A2	Dec. 11, 2003	PCT			
	B9	WO 03/102200 A2	Dec. 11, 2003	PCT			
	B10	WO 03/102201 A2	Dec. 11, 2003	PCT			

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Chang <i>et al.</i> , "Homofermentative Production of D- or L-Lactate in Metabolically Engineered <i>Escherichia Coli</i> RR1," <i>Applied Environ. Microbiol.</i> , 65(4):1384-1389, 1999.

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See Page 2

Other Art

See Page 2 - 3

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C2	Genga <i>et al.</i> , "Mitochondrial NAD, L-Lactate Dehydrogenase and NAD, D-Lactate Dehydrogenase in the Yeast <i>Saccharomyces Cerevisiae</i> ," <i>Microbiologica</i> , 6(1):1-8, 1983.
	C3	Goffin <i>et al.</i> , "Lactate Dehydrogenase-Independent Lactic Acid Racemization in <i>Lactobacillus Plantarum</i> ," _____.
	C4	Hohmann, "Pyruvate Decarboxylases," In " <i>Yeast Sugar Metabolism</i> ", 11:187-211, 1997.
	C5	Skory, "Isolation and Expression of Lactate Dehydrogenase Genes from <i>Rhizopus Oryzae</i> ," <i>Applied Environ. Microbiol.</i> , 66(6):2343-2348, 2000.
	C6	Skory, "Lactic Acid Production by <i>Saccharomyces Cerevisiae</i> Expressing A <i>Rhizopus Oryzae</i> Lactate Dehydrogenase Gene," <i>J. Ind. Microbiol. Biotechnol.</i> , 30(1):22-27, 2003.
	C7	Zhou <i>et al.</i> , "Production of Optically Pure D-Lactic Acid in Mineral Salts Medium by Metabolically Engineered <i>Escherichia Coli</i> W3110," <i>Applied Environ. Microbiol.</i> , 69(1):399-407, 2003.
	C8	U.S. Application Serial No. 20020004611, filed January 10, 2002.
	C9	U.S. Application Serial No. 20030166179, filed September 4, 2003.
	C10	U.S. Application Serial No. 20030190630, filed October 9, 2003.
	C11	International Search Report for WO 98/15518, dated April 16, 1998.

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